



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

November 13, 1996

Ms. Tracy Calabrese
Assistant City Attorney
City of Houston Legal Department
P.O. Box 1562
Houston, Texas 77251-1562

OR96-2091

Dear Ms. Calabrese:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 101950.

The City of Houston (the "city") received an open records request for all police reports pertaining to a particular traffic accident. You state that you have released to the requestor the accident report and the "public information" portion of an offense report. You seek to withhold pursuant to section 552.108 of the Government Code the remaining portions of the offense report, the "Accident Investigation Division file" relating to the accident, and police photographs of the accident.

Section 552.108 of the Government Code excepts from disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime," and "[a]n internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution." Gov't Code § 552.108; *see Holmes v. Morales*, 924 S.W.2d 920 (Tex. 1996). Because the records at issue deal with the detection, investigation, or prosecution of crime, we conclude that the information at issue may be withheld under section 552.108.¹

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue

¹Although section 552.108 authorizes the city to withhold the remaining information from disclosure, the city may choose to release all or part of the information at issue that is not otherwise confidential by law. *See* Gov't Code § 552.007.

under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Don Ballard". The signature is fluid and cursive, with the first name "Don" and last name "Ballard" clearly distinguishable.

Don Ballard
Assistant Attorney General
Open Records Division

JDB/RWP/ch

Ref.: ID# 101950

Enclosures: Submitted documents

cc: Ms. Allette B. Williams, Esq.
6750 West Loop South, Suite 760
Bellaire, Texas 77401-4113
(w/o enclosures)